

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re:

ABSOLUT FACILITIES MANAGEMENT,
LLC, et al.,¹

Debtors.

Chapter 11

Case No. 19-76260-ast
Case No. 19-76263-ast
Case No. 19-76267-ast
Case No. 19-76268-ast
Case No. 19-76269-ast
Case No. 19-76270-ast
Case No. 19-76271-ast
Case No. 19-76272-ast

(Jointly Administered)

DECLARATION OF JEFFREY CHUBAK IN SUPPORT

Jeffrey Chubak hereby declares:

1. I am an attorney at Amini LLC, counsel for the Plan Administrator, and submit this declaration in support of his application for an order shortening the time for hearing on the *Application for Final Decree Closing Operating Debtors' Chapter 11 Cases*, filed together herewith ("Application").

2. Since the commencement of these cases the Debtors have incurred fees under 28 U.S.C. § 1930 of approximately \$70,000/month [Dkt. No. 452-2].

3. Because RCA Healthcare Management, LLC and its affiliates are operating the Debtors' facilities, pursuant to the Administrative Services and Consulting Agreement, dated as of January 30, 2020, and approved by the sale order, entered February 10, 2020 ("ASA"), and which

¹ The Debtors are: Absolut Facilities Management, LLC; Absolut Center for Nursing and Rehabilitation at Allegany, LLC; Absolut Center for Nursing and Rehabilitation at Aurora Park, LLC; Absolut Center for Nursing and Rehabilitation at Gasport, LLC; Absolut at Orchard Brooke, LLC; Absolut Center for Nursing and Rehabilitation at Orchard Park, LLC; Absolut Center for Nursing and Rehabilitation at Three Rivers, LLC; and Absolut Center for Nursing and Rehabilitation at Westfield, LLC.

agreement became effective March 1, 2020, pending approval by the New York State Department of Health of RCA's certificate of need applications in respect of the subject facilities and closing of the related Asset Purchase Agreement, dated as of January 30, 2020; and because disbursements continue to be made on behalf of the Debtors roughly consistent with pre-ASA effective date practices, the Debtors are continuing to incur monthly statutory fees consistent with those accrued pre-effective date.

4. The next hearing in these chapter 11 cases is scheduled for June 30, 2020. Shortening the time for hearing on would permit the realization of meaningful cost savings through reduced statutory fees which would inure to the benefit of the Debtors' creditors.

5. No prior request for the relief sought herein has been made to this Court or to any other court.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 26, 2020.

/s/ Jeffrey Chubak